

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**April 15, 2010**

DIVISION ONE

B217877 People (Not for Publication)  
v.  
Kelly

The judgment is affirmed.

Mallano, P.J.

We concur: Chaney, J.  
Johnson, J.

B209274      Roth  
v.  
Fryzer, et al.

Filed order denying petition for rehearing.

DIVISION TWO

[illegible]

The Court:

The judgment (order granting probation) is affirmed.

Boren, P.J., Doi Todd, J., Chavez, J.

## DIVISION TWO (continued)

B215154 People v. Vinoukkun

(Not for Publication)

The judgment is affirmed.

Chavez, J.

I concur: Boren, P.J.  
I dissent: Doi Todd, J. (Opinion)

B214583 People (Not for Publication)  
v.  
Dennis

The superior court shall direct its clerk to amend the abstract of judgment to reflect: (1) that defendant is entitled to 232 days of actual custody credit, plus 34 days of conduct credit, for a total of 266 days of presentence custody credit; and (2) that defendant's presentence custody credits were calculated pursuant to section 2933.1. The superior court shall send the amended abstract of judgment to the Department of Corrections and Rehabilitation. The judgment is affirmed as modified.

Chavez, J.

We concur: Doi Todd, Acting P.J.  
Ashmann-Gerst, J.

April 15, 2010 (Continued)

DIVISION THREE

B212789 People (Not for Publication)  
v.  
Hector M.

The judgment (order continuing wardship) is affirmed.

Klein, P.J.

We concur:   Kitching, J.  
                      Aldrich, J.

B216400      People                                  (Not for Publication)  
v.  
Christopher Cruz

The judgment is modified to stay execution of the enhancement imposed pursuant to section 12022.7, subdivision (a) as to count 3. The trial court is directed to amend the abstract of judgment to reflect this modification and to forward a certified copy of the amended abstract to the Department of Corrections and Rehabilitation. As so modified, the judgment is affirmed.

Klein, P.J.

We concur:   Croskey, J.  
                      Aldrich, J.

B211925 Eileen Norwood  
v.  
The Rose Hills Company

Filed order denying petition for rehearing.

## DIVISION FOUR

Court convened at 9:00 a.m.

Present: Epstein, P.J., Willhite, J., Manella, J. and S. Veverka, Deputy Clerk.

DIVISION FOUR (continued)

Each of the following:

B212550 People v. Newton

B215104 People v. Arevalo

Argument waived, cause submitted.

B216851     People  
                 v.  
                 Christopher M.

Merits:

Argued by Esther R. Sorkin for appellant and by Analee J. Brodie, Deputy Attorney General for respondent. Cause submitted.

B208726     Community Redevelopment Agency of the City of Los Angeles  
                 v.  
                 Kramer Metals, et al.

Merits:

Argued by Allison E. Burns for appellants and by Gerald M. Sato for respondent. Cause submitted.

B210211     Whitmire, et al.  
                 v.  
                 Bechtel Corporation, et al.

Merits:

Argued by Paul C. Cook for appellants and by Margaret A. Grignon for respondents. Cause submitted.

DIVISION FOUR (continued)

B208214     The William Powell Company  
               v.  
               Walton, et al.

Merits:  
Argued by Jason R. Litt for appellant and by Brian P. Barrow for respondents. Cause submitted.

B211609     Absolute Bonding Corporation  
               v.  
               White-Watkins

Merits:  
Argued by Ulanda White-Watkins appellant in propria persona and by Harold Rubinfeld for respondent. Cause submitted.

B216612     Direct Shopping Network  
               v.  
               Interweave Press

Merits:  
Argued by Christopher R. Wagener for appellant. No appearance for respondent. Cause submitted.

Court recessed.

Court reconvened at 1:30 p.m.

Present: Epstein, P.J., Willhite, J., Manella, J. and S. Veverka, Deputy Clerk.

B213452     People  
               v.  
               Corado

Merits:  
Argued by Murray A. Rosenberg for appellant and by Daniel C. Chang, Deputy Attorney General for respondent. Cause submitted.

DIVISION FOUR (continued)

B217924     People  
              v.  
              Ladaniel A.

Merits:  
Argued by Esther R. Sorkin for appellant and by David C. Cook, Deputy Attorney General for respondent. Cause submitted.

B213716     People  
              v.  
              Belin

Merits:  
Argued by Katharine Eileen Greenebaum for appellant and by Alene M. Games, Deputy Attorney General for respondent. Cause submitted.

B212705     People  
              v.  
              Edem

Merits:  
Argued by Andrew Reed Flier for appellant and by Marc A. Kohm, Deputy Attorney General for respondent. Cause submitted.

B213943     Foot & Ankle Doctors, Inc.  
              v.  
              Devlin

Merits:  
Argued by Stuart Miller for appellant and by Robert C. Eroen for respondent. Cause submitted.

April 15, 2010 (Continued)

## DIVISION FOUR (continued)

B214142      Shen, et al.  
v.  
Wang, et al.

Merits:

Argued by Thomas S. Arthur for appellants, by Frank W. Chen for respondents Wang, et al. and by Jack G. Carl for respondent Pacific Enterprise. Cause submitted.

Court adjourned.

DIVISION FIVE

B221428      Jose G.      (Not for Publication)  
v.  
Superior Court, Los Angeles County  
(DCFS, r.p.i.)

The petition is denied.

Weisman, J. (Assigned)

We concur:   Armstrong, Acting P.J.  
                      Kriegler, J.

B220190      People      (Not for Publication)  
v.  
Uriel Cardenas, Jr.

The judgment is affirmed.

Kriegler, J.

We concur:   Turner, P.J.  
                      Armstrong, J.

April 15, 2010 (Continued)

## DIVISION FIVE (continued)

B210546      People                                  (Not for Publication)  
v.  
George Camacho

The clerk is directed to amend the abstract of judgment as to count 3 for shooting at an occupied vehicle by replacing the term of 10 years to life with a term of 15 years to life under section 186.22, subdivision (b)(4)(B), while retaining the 25 years to life enhancement under section 12022.53, subdivision (d), and striking the reference to a 5-year term for count 3 under section 246. The abstract is to be further amended to stay the count 3 sentence of 40 years to life pursuant to section 654, with the stay to become permanent upon completion of the terms in counts 1 and 2. The judgment is otherwise affirmed.

Kriegler, J.

We concur:    Armstrong, Acting P.J.  
                      Weisman, J. (Assigned)

B213003      People                                  (Certified for Partial Publication)  
v.  
Shon Yokely

The judgment is modified to (1) strike the sentence enhancements pursuant to sections 12022.55 and 12022.7 on counts 2 and 3; (2) lift section 654 stays with respect to the sentence enhancements pursuant to section 12022.5, subdivision (a) on counts 2 and 3; and (3) reduce the sentence enhancements pursuant to section 12022.55 on counts 1 and 4 from six years to five years. As modified, the judgment is affirmed.

Mosk, J.

We concur:   Turner, P.J.  
                      Armstrong, J.



April 15, 2010 (Continued)

DIVISION FIVE (continued)

B212443      Howard Woffinden                      (Not for Publication)

v.

Mid-West National Life Insurance Company of Tennessee, et al.

The September 15, 2008 judgment in favor of Mid-West, the September 15, 2008 judgment in favor of Alliance, and the November 19, 2008 judgment in favor of Casey are reversed. In addition, the orders granting summary judgment in favor of Mid-West and Alliance respectively and the order granting judgment on the pleadings in favor of Casey are reversed. The trial court is directed to enter new and different orders in accordance with this opinion. Appellant Howard Woffinden is awarded his costs on appeal.

Kriegler, J.

We concur:   Turner, P.J.  
                  Armstrong, J.

B216835      Julian Zablen, as Trustee, etc.,              (Not for Publication)

v.

Yisroel David Kagan

The judgment is reversed. Appellant(s) to recover costs.

Armstrong, Acting P.J.

We concur:   Mosk, J.  
                  Weisman, J. (Assigned)

DIVISION SIX

Court convened at 1:30 p.m.

Present: Gilbert, P.J., Yegan, J., Coffee, J., Perren, J., P. McGill, Chief Deputy Clerk and G. Bents, Deputy Clerk.

B213832      People v. Escamilla

Ordered off calendar.

DIVISION SIX (continued)

Each of the following:

B209766 People v. Javier  
B211906 People v. Johnson & Hawkins  
B212352 People v. Casares  
B213271 People v. Delgado  
B213721 People v. Arceo & Mendoza  
B214086 People v. Ogle  
B214109 People v. Rivas  
B214425 People v. Monasterio  
B215071 People v. Jimenez  
B215848 People v. Lowery  
B217233 People v. Clarke  
B217667 People v. Snyder  
B218129 People v. Salter  
B218304 People v. Kachlakeva  
B219181 People v. Godwin

Argument waived, cause submitted.

B211852     People  
              v.  
              Lui

Merits:

Argued by Russell S. Babcock for appellant and by Viet H. Nguyen, Deputy Attorney General, for respondent via video conference. Cause submitted.

B202840     People  
              v.  
              Ross W.

Merits:

Argued by Jean F. Matulis for appellant and by Jason Tran, Deputy Attorney General, for respondent via video conference. Cause submitted.

DIVISION SIX (continued)

B209623     People  
              v.  
              Chaidez

Merits:  
Argued by Edward J. Haggerty for appellant and by John Yang, Deputy Attorney General, for respondent via video conference. Cause submitted.

B213858     People  
              v.  
              Barber

Merits:  
Argued by Leonard J. Klaif for appellant and by Herbert S. Tetef, Deputy Attorney General, for respondent via video conference. Cause submitted.

B212406     People  
              v.  
              Lyons

Merits:  
Argued by Laura Susanne Kelly for appellant and by Blythe Leszkay, Deputy Attorney General, for respondent via video conference. Cause submitted.

B209860     People  
              v.  
              Robair

Merits:  
Argued by Robert F. Howell for appellant and by Tannaz Kouhpainezhad, Deputy Attorney General, for respondent via video conference. Cause submitted subject to additional items counsel for appellant wishes to submit.

Perren, J. left the bench.

April 15, 2010 (Continued)

DIVISION SIX (continued)

B215006     Wechter  
              v.  
              Schroeder, Comis, Nelson & Kahn

Merits:

Argued by Arthur R. Liberty for appellants and by Jon D. Robinson for respondents. Cause submitted.

Court recessed.

Court reconvened at 3:25 p.m.

Present: Gilbert, P.J., Yegan, J., Perren, J. and G. Bents, Senior Deputy Clerk.

Also present as part of the Court's Community Outreach Program are students from Ventura County Community College, and their instructors, Mr. Ted Prell and Mr. Richard Goff.

B213792     People  
              v.  
              Justice

Merits:

Argued by Mark Brown for appellant and by Robert C. Schneider, Deputy Attorney General, for respondent. Cause submitted.

Court adjourned.

April 15, 2010 (Continued)

DIVISION SEVEN

B206624 People (Not for Publication)  
v.  
Reed

The judgment is affirmed.

Jackson, J.

We concur: Perluss, P.J.  
Zelon, J.

B219811      Robert B., et al.  
v.  
Trina A., et al.

Filed order denying petition for rehearing.

## DIVISION EIGHT

B210503      People  
v.  
Michael Ivan Molina

Filed order denying petition for rehearing.